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September 4, 2007

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED
SEP [illegible]
LAWRENCE K. BAERMAN, CLERK
ALBANY

Honorable Lawrence E. Kahn
United States District Court
Northern District of New York
Albany, New York
via fax to: (518) 257-1801

Re: Provenzano et al. v. The Thompson Corp. et al.
Civil Action No. 1:07-CV-0746 (LEK/RFT)

Dear Judge Kahn:

I am corresponding in regard to the above-entitled action wherein I am counsel for the Plaintiffs named therein. I am communicating by facsimile with Your Honor with the permission of Mr. Scott Snyder, Courtroom Deputy with whom I spoke last week.

The Defendants have served a filed a motion to dismiss the amended complaint. Counsel for the Defendants, James F. Rittinger, and I have agreed to a briefing schedule wherein Plaintiffs will serve their opposition to the motion to dismiss by September 24, 2007 and the Defendants will serve and file their reply thereto by October 15, 2007.

I respectfully request that Your Honor allow and affirm the above-referenced briefing schedule.

Respectfully submitted,

Robert L. Arleo

U.S.D.J. LAWRENCE E. KAHN

RLA:gra
enclosures
cc: James. F. Rittinger
Jeffery Provenzano
Thomas Benjamin
Monica Agosto

***The above stipulated deadlines are hereby GRANTED. THe new motion return is 10/19/07 at 9:30 A.M. in Albany. As a reminder, all of Judge Kahn's motions are considered on the submission of the motion papers, only. No oral arguments will be entertained.
IT IS SO ORDERED: